

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FILED BY Sf D.C.  
05 OCT -6 AM 10:02

JOSEPH KYLE,

Plaintiff,

VS.

BENTON COUNTY, TENNESSEE,  
ET AL.,

Defendants.

No. 04-1180-T/An

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ORDER ON JURY VERDICT

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This cause came on for trial before the Court and jury on October 3, 2005, the Honorable James D. Todd, District Judge, presiding; Frank M. DesLauriers representing the plaintiff and John D. Schwalb representing the defendants.

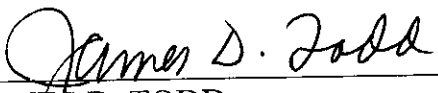

After hearing all the proof, arguments of counsel and charge of the Court, the jury retired to begin its deliberation. After due deliberation, the jury returned to open Court on October 4, 2005 and announced a verdict. The jury returned a verdict in favor of the plaintiff, Joseph Kyle against the defendants, Benton County, Tennessee and Jimmy Thornton, and awarded plaintiff, Joseph Kyle, damages in the amount of \$1.00.

The Clerk is directed to prepare a judgment for immediate entry in accordance with the jury verdict and the prior order granting summary judgment to all other defendants and dismissing the state law claims.

Any post-trial motions for judgment as a matter of law, new trial, or to alter or amend the verdict must be filed within 10 days after the entry of judgment, in accordance with Federal Rules of Civil Procedure 50(b) and 59.

The plaintiff also will have 10 days after the entry of judgment in which to file a motion for attorney fees and expenses. If plaintiff's motion for attorney fees is filed within this period, the motion will extend the time for appeal in accordance with Fed. R. Civ. P. 58(c)(2) and Fed. R. App. P. 4(a)(4)(A)(iii).

IT IS SO ORDERED.

  
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JAMES D. TODD  
UNITED STATES DISTRICT JUDGE  
  
  
\_\_\_\_\_  
DATE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 36 in case 1:04-CV-01180 was distributed by fax, mail, or direct printing on October 11, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT